

BEFORE THE
ENVIRONMENTAL QUALITY COUNCIL
STATE OF WYOMING

IN THE MATTER OF REVISIONS TO SECTION TWO
OF CHAPTER SIX

STATEMENT OF
PRINCIPAL REASON
FOR ADOPTION

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1. The Environmental Quality Council, pursuant to the authority vested in it by the Wyoming Statutes 35-11-112 (a)(i), has revised, removed, or added the following chapters and sections to the Wyoming Air Quality Standards and Regulations: Chapter 6, Permitting Requirements, Section 2 (o)(iii), Permit requirements for construction, modification, and operation.

2. Section 35-11-202 (a) of the Environmental Quality Act states that the Administrator, after consultation with the Advisory Board, shall recommend to the Director such ambient air standards and regulations that may be necessary to prevent, abate, or control pollution.

Section 35-11-202 (b) of the Act states that in recommending such standards the Administrator shall consider all facts and circumstances bearing upon the reasonableness of the emissions involved including:

- (A) The character and degree of injury to, or interference with the health and physical well being of the people, animals, wildlife and plant life;
- (B) The social and economic value of the source of pollution;
- (C) The priority of location in the area involved;
- (D) The technical practicability and economic reasonableness of reducing or eliminating the pollution; and
- (E) The social welfare and aesthetic value.

3. Chapter 6, Permitting Requirements, Section 2 (o)(iii), Permit requirements for construction, modification, and operation, has been updated to include revisions to portable relocate fee assessments that were established under Wyo. Stat. § 35-11-211(f) after the passage of HB0049 during the 2021 legislative session.

The Council finds that these regulations are reasonable and necessary to accomplish the policy and purpose of the Act, as stated in W.S. 35-11-102, and that they have been promulgated in accordance with rulemaking provisions of the Wyoming Administrative Procedures Act.

Dated this 15th day of February, 2022.

Wyoming Environmental Quality Council
Hearing Examiner - Printed Name

Shane Tour

Wyoming Environmental Quality Council
Hearing Examiner - Signed Name

